

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:12-cr-00026-JPH-TAB
	)	
	)	
BYRON PIERSON,	)	
	)	
Defendant.	)	

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On September 18, 2020, Magistrate Judge Doris Pryor entered a Report and Recommendation finding that Mr. Pierson violated conditions of his supervised release, that his supervised release should be revoked, and that he should be sentenced to eighteen months' imprisonment. Dkt. 125.

Mr. Pierson filed one objection to the report—he claims that he deserves credit for time in detention before sentencing. Dkt. 129. But whether Mr. Pierson is given such credit is for the Bureau of Prisons, not the Court, to decide. *See United States v. Wilson*, 503 U.S. 329, 334 (1992); *United States v. Walker*, 917 F.3d 989, 993–94 (7th Cir. 2019). Magistrate Judge Pryor thus followed the correct procedures by making no findings or recommendations as to the issue of credit for time served in detention prior to sentencing. *See Walker*, 917 F.3d at 993–94.

The Court **OVERRULES** the objection and **ADOPTS** Magistrate Judge Doris Pryor's Report and Recommendation and all findings therein,

dk. [125], under 18 U.S.C. §§ 3401(i), 3583(e). The Court now **ORDERS** that Mr. Pierson's supervised release is **REVOKED**. Dkt. [63]. Mr. Pierson is sentenced to the custody of the Attorney General or his designee for imprisonment of 18 months with no supervised release to follow.

**SO ORDERED.**

Date: 10/26/2020



James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

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United States Probation Office

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